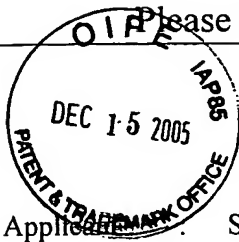


3725
PCT

Please Direct All Correspondence to Customer Number 20995

TRANSMITTAL LETTER
INFORMATION DISCLOSURE STATEMENT

#4

Applicant: Simon R. Ward
App. No : 10/523,898
I.A. Filing
Date : August 6, 2003
For : CUTTING OR CRUSHING IMPLEMENT
Examiner : Unknown
Art Unit : 3725

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

December 13, 2005

(Date)

James F. Herkenhoff, Reg. No. 51,241

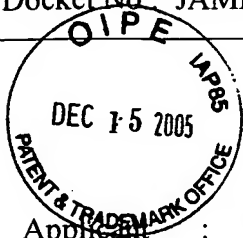
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) An Information Disclosure Statement and PTO/SB/08 equivalent listing references for consideration:
- (X) Listing six (6) references.
 - (X) Enclosing three (3) references.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

James F. Herkenhoff
Registration No. 51,241
Attorney of Record
Customer No. 20,995
(619) 235-8550



INFORMATION DISCLOSURE STATEMENT

Applicant : Simon R. Ward
App. No : 10/523,898
I.A. Filing
Date : August 6, 2003
For : CUTTING OR CRUSHING
IMPLEMENT
Examiner : Unknown
Art Unit : 3725

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December 13, 2005

(Date)

James F. Herkenhoff, Reg. No. 51,241

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application is a PTO/SB/08 Equivalent listing six (6) references to be considered by the Examiner. Also enclosed are three (3) foreign patent references and/or non-patent literature as listed on the Information Disclosure Statement. Applicant is currently unable to locate a copy of reference no. 5, the Messerschmidt citation. Applicant will submit a copy of the reference when it has been located.

This Information Disclosure Statement is being filed before the receipt of a first Office Action on the merits, and presumably no fee is required. If a first Office Action on the merits was mailed before the mailing date of this Statement, the Commissioner is authorized to charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 12/13/05

By:

James F. Herkenhoff
Registration No. 51,241
Attorney of Record
Customer No. 20,995
(619) 235-8550

DEC 15 2005

PTO/SB/08 Equivalent

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Multiple sheets used when necessary)

SHEET 1 OF 1

| | |
|----------------------|-------------------|
| Application No. | 10/523,89 |
| I.A. Filing Date | August 6, 2003 |
| First Named Inventor | Simon Robert Ward |
| Art Unit | 3725 |
| Examiner | Unknown |
| Attorney Docket No. | JAMES103.001APC |

U.S. PATENT DOCUMENTS

| Examiner Initials | Cite No. | Document Number Number - Kind Code (if known) Example: 1,234,567 B1 | Publication Date MM-DD-YYYY | Name of Patentee or Applicant | Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear |
|-------------------|----------|---|--------------------------------|-------------------------------|--|
| | 1 | 5,183,216 | 02/02/1993 | Wack | |
| | 2 | 6,129,298 | 10/10/2000 | Nye | |
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FOREIGN PATENT DOCUMENTS

| Examiner Initials | Cite No. | Foreign Patent Document Country Code-Number-Kind Code Example: JP 1234567 A1 | Publication Date MM-DD-YYYY | Name of Patentee or Applicant | Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear | T ¹ |
|-------------------|----------|--|--------------------------------|-------------------------------|--|----------------|
| | 3 | DE 92 10 765 | 10/01/1992 | Verachttert B.V. | | |
| | 4 | EP 0 841 445 | 05/13/1998 | Ohyodo Komatsu Co. | | |
| | | | | | | |
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NON PATENT LITERATURE DOCUMENTS

| Examiner Initials | Cite No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ¹ |
|-------------------|----------|---|----------------|
| | 5 | Messerschmidt et al., Betonzangen Einleitung, vol. 42, no. 2, pp. 97-98, April 2, 1995. | |
| | 6 | International Search Report for Application No. PCT/NZ2003/000173, mailed on 12/12/03. | |
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Examiner Signature

Date Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

T¹ - Place a check mark in this area when an English language Translation is attached.